IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7669 of 2005

Between:

Sri Satya Sai Bala Vikas High School, Rep. by its Co-Coordinator,
Mr. Polam Ranga Reddy S/o. Late P. Konda Reddy, aged about 43 years, R/o. H.No. 6-607, Maruthi Nagar, IIIrd Cross, Ananthapur, Ananthapur District.

..... PETITIONER

AND

1 The Chairman, National Institute of Open Schooling, (Formerly National open School) B/31-B, Kailash Colony, New Delhi-110 048.
2 The Secretary, National Institute of Open Schooling, (Formerly National open School) B/31-B, Kailash Colony, New Delhi-110 048.
3 The Regional Director, National Institute of Open Schooling,
H.No. 17-26, Sreenagar Colony, Road No.5, Dilsukhnagar,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not allotting the examinations center held on April 16th 2005 for Secondary and senior Secondary is illegal, arbitrary, violative of principles of natural justice and consequently direct the Respondents to allot the examinations center to petitioner School held on April 16th 2005 for Secondary and Senior Secondary center and to pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.GIRIMOJI RAO

Counsel for the Respondent No.: MR.A.RAMALINGESWAR RAO

The Court made the following :

O R D E R:

This writ petition is filed seeking a declaration that the action of the respondents in not allotting examination center for the examinations scheduled to be held from 16-04-2005 for secondary and senior secondary as arbitrary and illegal.

It is not in dispute that the previously petitioner-school was booked for mass copying. However, it is stated that by proceedings, dated 17-10-2003, the petitioner-school was warned and advised not to indulge in any mass copying or malpractice in future. In the circumstances, the contention of the petitioner-school is that there is absolutely no justifiable reason in not allotting the same as an examination center for the present academic year. Hence, this writ petition.

When the matter is taken up for consideration, the learned counsel appearing for the respondents, under instructions, states that the respondents have already taken a policy decision that no institution, which was booked for mass copying in the past, shall be allotted as examination center for the ensuing examinations. He has also placed before this Court a copy of the letter dated 01-02-2005, in which all the regional heads were informed about the said policy decision taken by the respondents.

In view of what has been stated by the learned counsel appearing for the respondents, I do not see any reason to grant the relief as prayed for and the writ petition is without any substances.

The writ petition is accordingly dismissed. No costs.

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(**G. ROHINI, J**)

Date: 08-04-2005

ghn

To

1 The Chairman, National Institute of Open Schooling, (Formerly National open School) B/31-B, Kailash Colony, New Delhi-110 048.
2 The Secretary, National Institute of Open Schooling, (Formerly National open

School) B/31-B, Kailash Colony, New Delhi-110 048.

3 The Regional Director, National Institute of Open Schooling, H.No. 17-26, Sreenagar Colony, Road No.5, Dilsukhnagar, Hyderabad.

4 Two C.D copies.